



08-12-05

APC / JFW  
\$ 1731

PATENT  
Customer No. 22,852  
Attorney Docket No. 9140.0014-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
DEMARAY, Richard et al. ) Group Art Unit: 1731  
)  
Application No.: 09/903,081 ) Examiner: HOFFMAN, John M.  
)  
Filed: July 10, 2001 )  
)  
For: AS-DEPOSITED PLANAR OPTICAL ) Confirmation No.: 1225  
WAVEGUIDES WITH LOW )  
SCATTERING LOSS AND )  
METHODS FOR THEIR )  
MANUFACTURE )

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after a Final Action but before a Notice of Allowance. The Commissioner is hereby authorized to charge the fee of \$180.00 as specified under § 1.17(p) to Deposit Account No. 06-0916..

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

08/15/2005 EFLORES 00000053 060916 09903081

01 FC:1806 180.00 DA

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

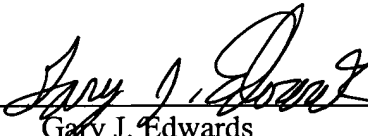
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

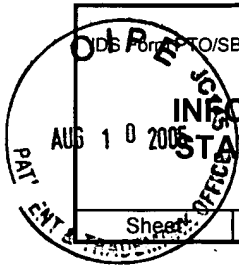
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 10, 2005

By:

  
Gary J. Edwards  
Reg. No. 41,008

<b>EXPRESS MAIL LABEL NO.</b> <b>EV 727733600 US</b>
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US Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

7

**Complete if Known**

Application Number	09/903,081
Filing Date	July 10, 2001
First Named Inventor	DEMARAY, Richard
Art Unit	1731
Examiner Name	HOFFMAN, John M.
Attorney Docket Number	9140.0014-00000

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US 2005/0006768 A1	01-13-2005	Narasimhan et al.	
		US 2005/0000794 A1	01-06-2005	Demaray et al.	
		US 2004/0259305 A1	12-23-2004	Demaray et al.	
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		US 6,511,615 B1	01-28-2003	Dawes et al.	
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		US 6,433,380 B2	08-13-2002	Shin	
		US 6,423,776 B1	07-23-2002	Akkapeddi et al.	
		US 6,413,645 B1	07-02-2002	Graff et al.	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
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				First Named Inventor	DEMARAY, Richard
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				Examiner Name	HOFFMAN, John M.
Sheet	2	of	7	Attorney Docket Number	9140.0014-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		US 6,365,319 B1	04-02-2002	Heath et al.	
		US 6,361,662	03-26-2002	Chiba et al.	
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		US 5,689,522	11-18-1997	Beach	
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		US 5,607,789	03-04-1997	Treger et al.	
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**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP 1 189 080 A2	03/20/2002	Agere Systems Optoelectronics Guardian Corporation		
		EP 1 092 689 A1	04-18-2001	BPS Alzenau GmbH		
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		EP 0 652 308 A2	10-13-1994	Mega Chips Corp.		
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Sheet	4	of	7	Attorney Docket Number	9140.0014-00000

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		JP 2-054764 A2	02/23/1990	Leybold AG	
		WO 2004/021532 A1	03-11-2004	Symmorphix, Inc.	
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>8</sup>
		AFFINITO et al., "PML/oxide/PML Barrier Layer Performance Differences Arising from Use of UV or Electron Beam Polymerization of the PML Layers," <i>Thin Solid Films</i> Vol. 308-309, pp. 19-25 (1997)	
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NON PATENT LITERATURE DOCUMENTS			
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		OHMI et al., "Rare earth metal oxides for high-K gate insulator," Tokyo Institute of Technology,(date unknown).	

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Sheet	6	of	7	Attorney Docket Number	9140.0014-00000

NON PATENT LITERATURE DOCUMENTS			
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		Office Action issued on September 27, 2004 in U.S. Serial No. 10/291,179 (Attorney Docket No. 09140-0001-00).	
		Response to Office Action filed on March 14, 2005 in U.S. Serial No. 10/291,179 (Attorney Docket No. 09140-0001-00).	
		Office Action issued on June 15, 2005 in U.S. Serial No. 10/291,179 (Attorney Docket No. 09140-0001-00).	
		Office Action issued on May 2, 2002 in U.S. Patent No. 6,533,907 (Attorney Docket No. 09140-0004-00).	
		Response to Office Action filed on September 3, 2002 in U.S. Patent No. 6,533,907 (Attorney Docket No. 09140-0004-00).	
		Office Action issued on May 14, 2003 in U.S. Serial No. 10/101,492 (Attorney Docket No. 09140-0015-00).	
		Response to Office Action filed on August 14, 2003 in U.S. Serial No. 10/101,492 (Attorney Docket No. 09140-0015-00).	
		Office Action issued on September 3, 2003 in U.S. Serial No. 10/101,492 (Attorney Docket No. 09140.0015-00).	
		Response to Office Action filed on March 3, 2004 in U.S. Serial No. 10/101,492 (Attorney Docket No. 09140-0015-00).	

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Sheet	7	of	7	Attorney Docket Number	9140.0014-00000

NON PATENT LITERATURE DOCUMENTS			
		Office Action issued on February 24, 2004 in U.S. Serial No. 10/101,863 (Attorney Docket No. 09140-0016-00).	
		Response to Office Action filed on July 23, 2004 in U.S. Serial No. 10/101,863 (Attorney Docket No. 09140-0016-00).	
		Office Action issued on October 6, 2004 in U.S. Serial No. 10/101,863 (Attorney Docket No. 09140-0016-00).	
		Office Action dated January 13, 2005, received in Application No. 10/101,863 (Attorney Docket No. 09140.0016-00).	
		Response to office Action filed on June 10, 2005 in U.S. Serial No. 10/101,863 (Attorney Docket No. 09140.0016-00).	
		Office Action dated March 25, 2005, received in Application No. 10/954,182 (Attorney Docket No. 09140.0016-01).	
		Office Action issued on October 22, 2003 in U.S. Serial No. 10/101,341 (Attorney Docket No. 09140-0017-00).	
		Response to Office Action filed on February 23, 2004 in U.S. Serial No. 10/101,341 (Attorney Docket No. 09140-0017-00).	
		Office Action issued on June 10, 2004 in U.S. Serial No. 10/101,341 (Attorney Docket No. 09140-0017-00).	
		Response to Office Action filed on December 08, 2004 in U.S. Serial No. 10/101,341 (Attorney Docket No. 09140-0017-00).	
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		International Search Report issued on October 11, 2004 in PCT/US2004/005531 (Attorney Docket No. 09140-0030-00304)	
		Written Opinion issued on October 11, 2004 in PCT/US2004/005531 (Attorney Docket No. 09140-0030-00304)	
		Office Action issued March 24, 2005 in U.S. Application No. 10/851,542 (Attorney Docket No. 09140.0033-00).	

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